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PATENTRemarks

Entry of the foregoing amendments and reconsideration of this application is requested. By this amendment, the specification has been amended to correct a typographical error. A Terminal Disclaimer is being filed herewith. Claims 1-22 remain in the application.

OBJECTIONS

The Examiner has objected to the specification stating that the numeral "52" on page 11, line 20, should be numeral "56".

The applicant in response has amended the specification to correct this typographical error. The applicant believes that the objection to the specification has been overcome in light of the amendment and remarks made herein. Notice to that effect is requested.

Common Ownership

The applicant hereby asserts that the pending application bearing serial no. 09/925,948, U.S. Patent No. 6,497,975, U.S. Patent No. 6,387,559, U.S. Patent No. 6,465,119 and copending U.S. Patent Application No. 09/738,130 were, at the time the invention of application bearing Serial No. 09/925,948 was made, owned by Motorola, Inc.

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The Examiner has rejected claims 1-22 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. patent No. 6, 497,975, hereinafter referred to as '975. The Examiner states that this obviousness-type double patenting rejection can be overcome by the filing of a Terminal Disclaimer. In response, the applicants are filing herewith a Terminal Disclaimer under 37 C.F.R. 1.321(b) to obviate the double patenting rejection.

The Examiner has rejected claims 1-22 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. '975. The Examiner acknowledges that the reference has a common assignee with the instant application. The Examiner states for an application filed on or after November 29, 1999, that this rejection can be overcome by a showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

In response, the applicant is filing herewith a Terminal Disclaimer as to U.S. Patent 6,497,975, as previously stated, and a statement as to ownership. The applicant asserts that the present application was filed after November 29, 1999 and the subject matter of U.S. Patent 6,497,975 and the present claimed invention were, at the time the invention was made, owned by the same person under an obligation of assignment to the same person, namely Motorola, Inc.

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The Examiner has rejected claims 1-22 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. patent No. 6, 387,559, hereinafter referred to as '559. The Examiner states that this obviousness-type double patenting rejection can be overcome by the filing of a Terminal Disclaimer. In response, the applicants are filing herewith a Terminal Disclaimer under 37 C.F.R. 1.321(b) to obviate the double patenting rejection.

The Examiner has rejected claims 1-22 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. '559. The Examiner acknowledges that the reference has a common assignee with the instant application. The Examiner states for an application filed on or after November 29, 1999, that this rejection can be overcome by a showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

In response, the applicant is filing herewith a Terminal Disclaimer as to U.S. Patent 6,387,559, as previously stated, and a statement as to ownership. The applicant asserts that the present application was filed after November 29, 1999 and the subject matter of U.S. Patent 6,387,559 and the present claimed invention were, at the time the invention was made, owned by the same person under an obligation of assignment to the same person, namely Motorola, Inc.

The Examiner has rejected claims 1-22 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-27 of

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U.S. patent No. 6, 465,119, hereinafter referred to as '119. The Examiner states that this obviousness-type double patenting rejection can be overcome by the filing of a Terminal Disclaimer. In response, the applicants are filing herewith a Terminal Disclaimer under 37 C.F.R. 1.321(b) to obviate the double patenting rejection.

The Examiner has rejected claims 1-22 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. '119. The Examiner acknowledges that the reference has a common assignee with the instant application. The Examiner states for an application filed on or after November 29, 1999, that this rejection can be overcome by a showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

In response, the applicant is filing herewith a Terminal Disclaimer as to U.S. Patent 6,465,119, as previously stated, and a statement as to ownership. The applicant asserts that the present application was filed after November 29, 1999 and the subject matter of U.S. Patent 6,465,119 and the present claimed invention were, at the time the invention was made, owned by the same person under an obligation of assignment to the same person, namely Motorola, Inc.

The Examiner has provisionally rejected claims 1-22 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over copending U.S. Patent Application No. 09/738,130, hereinafter referred to as '130. The Examiner states that this provisional obviousness-type double patenting

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rejection can be overcome by the filing of a Terminal Disclaimer. In response, the applicants are filing herewith a Terminal Disclaimer under 37 C.F.R. 1.321(b) to obviate the double patenting rejection.

The Examiner has provisionally rejected claims 1-22 under 35 U.S.C. 103(a) as being obvious over copending U.S. Patent Application No. 09/738,130. The Examiner acknowledges that the reference has a common assignee with the instant application. The Examiner states for an application filed on or after November 29, 1999, that this rejection can be overcome by a showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

In response, the applicant is filing herewith a Terminal Disclaimer as to copending U.S. Patent Application No. 09/738,130, as previously stated, and a statement as to ownership. The applicant asserts that the present application was filed after November 29, 1999 and the subject matter of copending U.S. Patent Application No. 09/738,130 and the present claimed invention were, at the time the invention was made, owned by the same person under an obligation of assignment to the same person, namely Motorola, Inc.

SUMMARY

The applicant has included a statement herein as to the common ownership of the present application and U.S. Patent No. 6,497,975, U.S. Patent No.

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6,387,559, U.S. Patent No. 6,465,119, and copending U.S. Patent Application No. 09/738,130, at the time the invention of the present application was made. In addition, a Terminal Disclaimer under 37 C.F.R. 1.321(b) is being filed herewith to obviate the double patenting rejections and provisional double patenting rejection.

No amendment made herein was related to the statutory requirements of patentability unless expressly states; rather any amendment not so identified may be considered as directed *inter alia* to clarification of the structure and/or function of the invention and Applicants' best mode for practicing the same. Additionally, no amendment made herein was presented for the purpose of narrowing the scope of any claim, unless Applicant has argued that such amendment was made to distinguish over a particular reference or combination of references. Furthermore, no election to pursue a particular line of argument was made herein at the expense of precluding or otherwise impeding Applicants from raising alternative lines of argument later during prosecution. Applicants' failure to affirmatively raise specific arguments is not intended to be construed as an admission to any particular point raised by the Examiner.

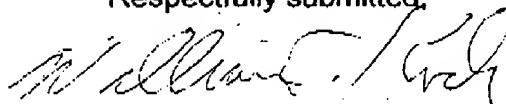
The Applicant believes that the subject application, is in condition for allowance. Such action is earnestly solicited by the Applicant. In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

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Reconsideration is respectfully requested. In view of the foregoing amendments and remarks it is believed that the application, including claims 1-22, is now in condition for allowance. Notice to that effect is respectfully requested.

Authorization is hereby given to charge any fees necessitated by actions taken herein, including any extension of time fees, to Deposit Account 502117.

Respectfully submitted,



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SEND CORRESPONDENCE TO:

MOTOROLA, INC.
Law Department
Customer Number: 23330